

STATE OF INDIANA)
) SS:
COUNTY OF SULLIVAN)

IN THE SULLIVAN SUPERIOR COURT
2005 TERM
CAUSE NO. 77D01-0504-SC-00193

MICHAEL WOODS,
Plaintiff

VS.

CRAIG HANKS,
EVELYN RIDLEY-TURNER, and
J. DAVID DONAHUE
Defendants

FILED
IN SUPERIOR COURT

APR 4 2005

Shelly Hitt Rie
Clerk, Sullivan Superior Court

ORDER

Pursuant to I.C. 34-58-1-1, this Court has examined Plaintiff's Complaint and has determined, pursuant to I.C. 34-58-1-2, that the claim is frivolous in that it does not have an arguable basis in the law and does not state a claim upon which relief may be granted for the following reasons:

1. Plaintiff has failed to comply with the Notice Of Tort Claim statute, specifically I.C. 34-13-3-7. Plaintiff did not file his Notice of Tort Claim within 180 days of his loss. As such, he is barred from prosecuting this claim.
2. Further, Plaintiff has failed to allege facts sufficient to prosecute this action against the Defendants pursuant to I.C. 34-13-3-5(c).

The Clerk is Ordered to return via Certified Mail, Return Receipt Requested the check received from the Plaintiff for the filing fee.

SO RECOMMENDED this 4th day of April, 2005.

Ann Smith Mischler
ANN SMITH MISCHLER, Magistrate
Sullivan Superior Court

SO ORDERED this 4th day of April, 2005.

Thomas E. Johnson
THOMAS E. JOHNSON, Judge
Sullivan Superior Court



Distribution:

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